S-E-C-R-E-T
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CONFIDENTIAL

MEMORANDUM TO: REGULATIONS CONTROL STAFF, [redacted] 551 Matomic Bldg.

ILLEGIB

SUBJECT : Proposed Issuance - [redacted] Employee Conduct, Section I - General Disciplinary Action (Draft 1 dated 16 April 1956) 25X1

This issuance has been reviewed and our position is as follows:

☐ CONCUR: (Check each factor considered)

( ) Substance
( ) Rescissions Listed
( ) Classification
( ) Distribution Proposed

[redacted] 25X1

( ) Issuances Only)
( ) Minor comments not affecting concurrence attached in duplicate

☐ NONCONCUR: Reasons are stated in separate memorandum, attached, in duplicate

GENERAL COUNSEL, ONLY:

☐ CONCUR as to Legality

☐ NONCONCUR as to Legality

☐ DCI Authentication is required.

☐ DCI Authentication is not required.

Signature

Office

Date

(Job #576-A-BT)
Due: 22 May 1956

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PERSONNEL
16 April 1956

EMPLOYEE CONDUCT

SECTION I - GENERAL DISCIPLINARY ACTION

SYNOPSIS: This regulation prescribes Agency policies and procedures for effecting disciplinary actions in the cases of employees who violate laws, regulations, instructions, or generally recognized rules of good conduct.

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POLICY.....
RESPONSIBILITIES.....
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1. POLICY

a. The Agency recognizes its obligations to its employees and, in return, expects Agency employees to discharge their assigned duties conscientiously, to respect the administrative authority of those directing their work, to conduct themselves at all times in a manner which will reflect credit on the Agency; and to observe the spirit as well as the letter of the laws governing their conduct.

b. Agency employees will be kept fully informed of the conditions of their employment including their obligations, duties, and responsibilities as well as their rights and privileges.

c. Emphasis will be placed on the prevention of situations necessitating disciplinary action. However, when the need for action arises, it will be prompt, impartial, and constructive.

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d. Demotion in grade or rate of compensation will not be used as a disciplinary measure. This policy does not preclude demotions for reasons of inefficiency, inability to perform the duties of a position, reevaluation of position, or necessary reassignment.

2. RESPONSIBILITIES

a. Supervisors at all levels bear primary responsibility for determining the adequacy of the performance and conduct of personnel under their jurisdiction and for initiating corrective action when deemed necessary. While authority for taking disciplinary personnel actions rests generally with the Director of Personnel, this does not relieve supervisory officials of their responsibility for discipline and proper management of personnel, or for alerting the Director of Personnel in any case when disciplinary action, except oral admonishment, is being considered.

b. The Director of Personnel is responsible for giving advice and assistance in disciplinary problems at all supervisory levels and for reviewing recommended actions to ensure that they conform to regulatory and procedural requirements and are not unreasonable or arbitrary. When he is alerted to impending action, as indicated in paragraph 2a, above, he will advise the supervisor concerned of the appropriate degree of disciplinary action, if any, which should be applied. Except as specifically provided in

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also 3a

paragraph 3c(3), below, the Director of Personnel will take or recommend final action in disciplinary cases.

3. DISCIPLINARY ACTION: TYPES AND PROCEDURES

a. ORAL ADMONISHMENT

(1) Definition

Oral admonishment is a private interview between the immediate supervisor and an employee on the subject of the employee's conduct or his failure to observe regulations, instructions, or general rules of conduct. This type of disciplinary action is, in effect, a warning and is properly used in cases of minor infractions.

1.

(2) Procedures

(a) The immediate supervisor will first determine the advisability of oral admonishment, then make the admonishment as soon after the infraction as possible.

(b) No formal memorandum of confirmation is required when oral admonishment is made.

b. Written ~~OFFICIAL~~ REPRIMAND

all written are "official"

(1) Definition

( ) An official reprimand, properly used in cases of significant or repeated infractions, is a formal letter signed by the Operating Official of the organizational

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+ endorsed by the Org Pers.

component to which the employee is assigned. A copy of the official reprimand will be placed in the employee's Official Personnel Folder.

(b) An official reprimand will contain the following information:

(1) A specific description of the offense, including time, place, and circumstances.

(2) If appropriate, a restatement of past offenses, any admonishments given, and corrective action suggested.

(3) A statement that a copy of the official reprimand will be placed in the employee's Official Personnel Folder.

(4) A statement that repetition of the offense may result in more severe disciplinary action.

(5) A statement that the employee may submit a written reply to the reprimand and that his reply will be placed with the reprimand in his Official Personnel Folder.

(2) Procedures

(a) The immediate supervisor of an employee charged with a significant or repeated infraction will:

[redacted]

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(1) Review the instruction to determine whether a recommendation for official reprimand is warranted.

(2) If he so determines, prepare a memorandum addressed [redacted]

(b) [redacted]

(1) Review the case to determine whether an official reprimand is warranted.

(2) If he so determines, direct that the case be fully documented and the proposed reprimand be prepared. The proposed reprimand should include all facts of the case, a signed statement of the employee involved, and, if possible, statements of any witnesses. It will be prepared for signature of the Operating Official.

(3) Sign the original and 2 copy of the official reprimand. The original and the entire record of the case, including any subsequent statement of the employee, will be transmitted to the Director of Personnel for inclusion in the employee's Official Personnel Folder. The signed copy will be forwarded to the employee concerned.

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(c) An official reprimand, except one prescribed by Regulation [redacted] Penalties for Non-Compliance with CIA Security Regulations and Policies, may be removed from the Official Personnel Folder only at the direction of the Director of Personnel. Removal may be recommended by the Operating Official if he considers the employee's subsequent performance and conduct warrant the action. The Operating Official recommending this action should recognize that, once the reprimand is removed, only qualified use can be made of it to support future charges or disciplinary actions.

c. SUSPENSION FOR LESS THAN THIRTY CALENDAR DAYS

(1) Definition

Suspension is temporary nonpay status into which an employee is placed without his consent. Disciplinary suspension should not be confused with suspension during the 30-day notice period described in paragraph 6a(3) of Regulation [redacted] General Separation Actions.

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(2) Procedures

(a) Initiation of Suspension Actions

(1) If the immediate supervisor determines that an infraction, or series of infractions, warrants a recommendation for suspension he will:

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(a) Conduct an inquiry into the incident or incidents with the advice and assistance of the Office of Personnel.

(b) Develop a record of all the facts, including statements signed by the employee concerned and by any witnesses having information about the case.

(c) Submit a written recommendation, supported by a statement of reasons and a record of information about the case, for transmittal to the Operating Official concerned.

(2) The Operating Official will:

(a) Review the case and, if necessary, further develop data.

(b) Ensure that the employee's statement, if submitted, is included in the record.

(c) If he concurs in the recommendation, transmit the entire record of the case to the Director of Personnel.

(3) The Director of Personnel will approve or disapprove the recommended action. If he disapproves the action the Operating Official may transmit the entire case,

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including the disapproval, to the Director of Central Intelligence for determination.

(b) Notice of Decision

Notice of decision to suspend an employee will be prepared by the Office of Personnel and will contain the following:

(1) Description of the offense including time, place, and circumstances.

(2) Statement of the action to be taken.

(3) Statement of the inclusive dates of the suspension.

(4) Statement of the employee's rights of appeal.

(c) Delivery of Notice

(1) If the employee is available, the notice will be transmitted to the Operating Official who will deliver it to the employee concerned. The employee will be requested to sign a return receipt therefor.

(2) When the employee is not available for personal delivery, the Office of Personnel will send the notice of decision to his last known address by registered mail (return receipt "signed by addressee only" requested).

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(d) Appeals

(1) Suspensions may be appealed in accordance with procedures prescribed in Regulation [redacted] 25X1
Grievances and Complaints.

(2) Employees eligible for veteran's preference have no right of appeal to the United States Civil Service Commission, for suspensions of less than 30 calendar days.

(e) Standard Form 52: Request for Personnel Action will be prepared by the office concerned when notified of final decision in the case by the Office of Personnel.

d. SUSPENSION FOR MORE THAN 30 CALENDAR DAYS

Suspension for more than 30 calendar days will be processed in accordance with procedures prescribed in [redacted] 25X1

e. REMOVAL

Removal of an employee on charges of delinquency or misconduct will be initiated and processed in accordance with [redacted] 25X1

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